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A C T S
A N D
L A W S
O F T H E
S T A T E
O F
C O N N E C T I C U T ,
I N
A M E R I C A .



H A R T F O R D :
P R I N T E D b y E L I S H A B A B C O C K ,
M , D C C , L X X X V I .

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Meetings. Militia.

On penalty of *Forty Pounds*, to the Treasury of such County ; To be recovered before the County Court in the County where the Transgression is committed.

Charge to be born by the society. And the Proceedings in settling and affixing such Meeting-House Place shall be at the Charge of the Society where such House is needed : And such County Court shall be allowed the Fees for their Judgment thereon, as in the Trial of other Causes.

An Act for preserving due Order in Town-Meetings, Society-Meetings, and in the Meetings of other Communities ; and for preventing Tumults therein.

Preamble. *WHEREAS the Peace and good Order of Towns, Societies and other Communities do very much depend on their peaceably and orderly carrying on and managing their Affairs in their Meetings, and their regularly proceeding therein.*

Therefore,

Penalty for disturbing a ny meeting, &c. *Be it enacted by the Governor, Council and Representatives in General Court assembled, and by the Authority of the same, That when any Town, Society or Proprietors Meeting, or the Meeting of any other Community is lawfully assembled, if any Person or Persons whatsoever, shall in such Meeting or Assembly, by tumultuous Noise, Quarrelling, or by any unlawful Act, disturb such Meeting, or hinder the Members thereof from proceeding in an orderly and peaceable Manner to the choice of their Moderator, or after the choice of such Moderator, shall vilify or abuse him, or interrupt him in the discharge of his Trust ; or after he hath commanded Silence in such Meeting, shall speak in the Meeting to the disturbance of the Business of the Meeting, without the Moderator's Leave first had and obtained, (unless it be to ask reasonable Liberty to speak) such Person or Persons so offending in any of the Particulars above-mentioned, contrary to the Intent of this Act, shall for every such Offence forfeit and pay a Fine of Five Shillings to the Treasurer of the Town where the Offence is committed.*

Triable by an assistant or justice.

Adjournments to be by major part.

All Offences against this Act to be heard and determined by any one Assistant or Justice of the Peace ; unless the Offence be aggravated by some notorious breach of Peace ; in which Case the Offenders shall be bound over by such Assistant or Justice, to the next County Court, to answer for such Offence : Which Court may impose such Fine as the aggravations of the Offence, in their Judgment deserves ; not exceeding Ten Pounds.

And that no such Meeting shall be adjourned, but by the major Part of the Members present.

An Act for forming, regulating, and conducting the military Force of this State.

Preamble. *WHEREAS the Defence and Security of all free States depends (under God) upon the Exertions of a well regulated and disciplined Militia.*

Wherefore,

Who obliged to bear arms, and who exempt. *Be it Enacted by the Governor, Council and Representatives, in General Court assembled and by the Authority of the same, That all male Persons, from sixteen Years of Age to Forty-five, shall constitute the Military Force of this State, except Members of the Council, of the House of Representatives, and of the Congress of the United States for the Time being, the State Treasurer, and Secretary, Justices of the Peace, field, Commissioned, and Staff Officers, honourably discharged, Ministers of the Gospel, the President, Tutors and Students of College, Physicians and Surgeons, Select-men, constant School-Masters, one Miller to each Grist-mill, being approved by the Select-Men, and having a Certificate thereof, constant Mariners*

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who make it their constant Business to go to Sea, Sheriffs and Constables, constant Ferry-men, Persons disabled through Lameness or other bodily Infirmary, during the Continuance of such Disability, producing a Certificate thereof from two able Physicians, to the Acceptance of his or their commissioned Officers, non-commissioned Officers and Privates who have enlisted or shall hereafter enlist into the *Connecticut* Line of the Army of the United States, for the Term of the present War, and have faithfully served for said Term, or obtained an honourable Discharge, and Indians, Negroes and Molattoes.

Provided nevertheless, That such military Officers, and all Householders and others not fifty-five Years of Age, shall give their Attendance on Days appointed for viewing of Arms, as hereafter directed; and such Officers shall be subject to do their Proportion of military Duty, when called by a superior Officer, in the Office they have respectively sustained. Provido.

And whereas sundry Persons have heretofore obtained Discharges from military Duty, on Account of temporary Disorders and Infirmities of Body, which in many Instances are removed, and others have obtained such Discharges from an Abuse of the Provisions of the Law heretofore in force for that Purpose.

Therefore,

Be it enacted by the Authority aforesaid, That no able-bodied and effective Man, in the Judgment of the commissioned Officers of the Company, within the Limits of which he may belong, shall, on Account of such Discharges, be exempted from military Duty, but shall be enrolled in their respective Companies, agreeable to the Provisions of this Act, and be liable to do Duty in such Companies as others by Law are, such Discharges notwithstanding. When discharges shall not avail to exempt from military duty.

Be it further enacted, That the military Companies shall continue and remain as they now are, in respect to the Lines of Division and Boundaries and Order of Dignification. Companies to remain the same, &c.

And that the several military Companies aforesaid, shall be divided into Regiments, Brigades and Divisions, in Manner following, viz. Divided into regts. & brigades, &c.

Those in the Towns of *Hartford, Windsor, Suffield*, and that Part of the Town of *Farmington* lying in the Parish of *Wintonbury*, shall constitute the first Regiment. 1st. Regt.

Those in the Towns of *New-Haven, Milford, Derby* and *Woodbridge*, shall constitute the second Regiment. 2d. Regt.

Those in the Towns of *New-London* and *Lyme*, shall constitute the third Regiment. 3d. Regt.

Those in the Towns of *Fairfield, Stratford* and *Reading*, shall constitute the fourth Regiment. 4th Regt.

Those in the Towns of *Windham, Mansfield, Coventry* and *Ashford*, shall constitute the fifth Regiment. 5th Regt.

Those in the Towns of *Weathersfield* and *Glastenbury*, shall constitute the sixth Regiment. 6th Regt.

Those in the Towns of *Say-Brook, Killingworth* and *Haddam*, shall constitute the seventh Regiment. 7th Regt.

Those in the Towns of *Stonington, Preston* and *Groton*, shall constitute the eighth Regiment. 8th Regt.

Those in the Towns of *Norwalk, Stamford* and *Greenwich*, shall constitute the ninth Regiment. 9th Regt.

Those in the Towns of *Wallingford, Cheshire* and *Durham*, shall constitute the tenth Regiment. 10th Regt.

Those in the Towns of *Pomfret, Killingly* and *Woodstock* (except the South Company in said *Killingly*) shall constitute the eleventh Regiment. 11th Regt.

Those in the Towns of *Lebanon, Hebron*, and the Company in the Society of *Marlborough* in *Colchester*, shall constitute the twelfth Regiment. 12th Regt.

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- 13th Regt. Those in the Town of *Woodbury, Washington, New-Milford* and *Kent*, shall constitute the thirteenth Regiment.
- 14th Regt. Those in the Towns of *Cornwall, Sharon, Salisbury, Canaan* and *Norfolk*, shall constitute the fourteenth Regiment.
- 15th Regt. Those in the Towns of *Farmington*, (exclusive of that Part thereof lying in the Parish of *Wintonbury*) and *Southington*, shall constitute the fifteenth Regiment.
- 16th Regt. Those in the Towns of *Danbury, Ridgefield, Newtown* and *New-Fairfield*, shall constitute the sixteenth Regiment.
- 17th Regt. Those in the Towns of *Litchfield, Goshen, Torrington* and *Harwinton*, shall constitute the seventeenth Regiment.
- 18th Regt. Those in the Town of *Simsbury*, shall constitute the eighteenth Regiment.
- 19th Regt. Those in the Towns of *East-Windsor, Enfield, Bolton* and *East-Hartford*, shall constitute the nineteenth Regiment.
- 20th Regt. Those in the Town of *Norwich*, shall constitute the twentieth Regiment.
- 21st Regt. Those in the Towns of *Plainfield, Canterbury, Voluntown*, and the South Company in *Killingly*, shall constitute the twenty-first Regiment.
- 22d Regt. Those in the Towns of *Tolland, Somers, Stafford, Willington* and *Union*, shall constitute the twenty-second Regiment.
- 23d Regt. Those in the Towns of *Middletown* and *Chatham*, shall constitute the twenty-third Regiment.
- 24th Regt. Those in the Towns of *East-Haddam* and *Colchester*, (except the Company in *Marlborough* in said *Colchester*) shall constitute the twenty-fourth Regiment.
- 25th Regt. Those in the Towns of *New-Hartford, Hartland, Winchester, Berkhempsted* and *Colebrook*, shall constitute the twenty-fifth Regiment.
- 26th Regt. Those in the Towns of *Waterbury* and *Watertown*, shall constitute the twenty-sixth Regiment.
- 27th Regt. Those in the Towns of *Guilford* and *Branford*, shall constitute the twenty-seventh Regiment.
- Where companies are divided. And where, by the division of Companies into Regiments, which hath or shall be made, it shall so happen that a Company shall be divided, and put part into one Regiment and part into another, in such Case the minor Part of such Company shall belong to the Regiment to which the major Part belongs.
- Regiments formed into Brigades. And the several Regiments shall be formed into Brigades, in Manner following, viz.
- Bounds of the 1st Brigade. The first, sixth, nineteenth and twenty-second Regiments, shall constitute the first Brigade.
- 2d Brigade. The second, seventh, tenth, twenty-third, twenty-sixth and twenty-seventh Regiments, shall constitute the second Brigade.
- 3d Brigade. The third, eighth, twentieth and twenty-fourth Regiments, shall constitute the third Brigade.
- 4th Brigade. The fourth, ninth, thirteenth and sixteenth Regiments, shall constitute the fourth Brigade.
- 5th Brigade. The fifth, eleventh, twelfth and twenty-first Regiments, shall constitute the fifth Brigade.
- 6th Brigade. The fourteenth, fifteenth, seventeenth, eighteenth and twenty-fifth Regiments, shall constitute the sixth Brigade.
- Light dragoons form'd into regiments. And be it further Enacted, That the Companies of Light-Dragoons which have, by virtue of the Laws heretofore made, been formed out of the Regiments of Infantry, shall be formed into Regiments in Manner following, viz.
- 1st. Regt. Those in the first, second, sixth, seventh, tenth and twenty-third Regiments of Infantry, shall constitute the first Regiment.
- 2d. Regt. Those in the third, eighth, twelfth, twentieth, twenty-fourth and twenty-seventh Regiments of Infantry, shall constitute the second Regiment.
- 3d. Regt. Those in the fourth, ninth and sixteenth Regiments of Infantry, shall constitute the third Regiment.

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Those in the fifth, eleventh, nineteenth, twenty-first and twenty-second Regiments of Infantry, shall constitute the fourth Regiment.

4th Regt.

Those in the thirteenth, fourteenth, fifteenth, seventeenth, eighteenth and twenty-fifth Regiments of Infantry, shall constitute the fifth Regiment.

5th Regt.

Be it further enacted by the Authority aforesaid, That the Governor of this State for the Time being, shall be Captain-General and Commander in Chief, and the Lieutenant-Governor for the Time being, shall be Lieutenant-General of and over all the military Force of this State; and there shall be appointed by the General Assembly, as may be necessary, one Brigadier-General to the Command of each Brigade, and one Lieutenant-Colonel Commandant, and one Major to each Regiment of Infantry, and one Major in each of said Regiments of Cavalry, to be commissioned by the Governor; and in every Infantry Company where there are sixty-four Soldiers besides Officers, there shall be one Captain, one Lieutenant, and one Ensign, four Serjeants, four Corporals, one Drummer and one Fifer; and where there are thirty-two Soldiers, there shall be one Lieutenant and one Ensign, two Serjeants, two Corporals, one Drummer and one Fifer; and where there are but twenty-four Soldiers, there shall be one Lieutenant, two Serjeants, two Corporals and one Fifer; and in every Company of Cavalry of forty Soldiers (which Number no Company shall exceed) there shall be one Captain, one Lieutenant, one Cornet and one Quarter master, four Corporals, one Clerk and one Trumpeter, which Officers the respective Companies have Liberty to nominate, the Individuals of said Companies being notified by their respective commanding Officers that he is about to lead them to the Choice of such commissioned Officers; and in Case of the Infantry, the Householders, and others by Law obliged to keep Arms, at least three Days before such Choice; and all commissioned Officers shall be established by the General Assembly, and the non-commissioned Officers by Warrant from the commanding Officer of the Regiment to which they belong.

Governor
Captain-Ge-
neral, Lieut.
Governor
Lieut. Gene-
ral.

Subordinate
officers how
appointed.

And be it further enacted by the Authority aforesaid, That the Captain-General or Commander in Chief, or in his Absence, the Lieutenant-General is hereby authorized and empowered, as he may judge necessary, upon Occasion of Alarm, Invasion, or Notice of the Appearance of an Enemy, either by Sea or Land, to order the Whole or any Part of the military Force of this State to be assembled in martial Array, and put in warlike Posture, and the same lead, order, or employ for the assisting or relieving any of the Inhabitants of this or the neighbouring States attacked by an Enemy, or in Danger thereof; and generally to issue out or publish, either through the Channel of the public Prints, or by the staff Departments, such Orders as he may judge expedient to carry into Execution the Intents and Designs of this Act; and all subordinate Officers are hereby required to yield entire Obedience thereto accordingly; and the Officers severally commanding Brigades, Regiments and Companies, are hereby vested with the same Powers and Authorities, within the Limits of their respective Commands; provided that when they, or any of them, find it necessary to order out the Force under their Command, they shall forthwith post away the Intelligence and the Occasion thereof, together with their Movements and Operations, to the Captain-General, or any other their superior Officer, as may be judged most conducive to the public Safety; and the Officer receiving such Intelligence shall observe the same Line of Conduct, in order that it may, in the most expeditious Manner, arrive to the Captain-General.

When and
upon what
occasion the
whole or part
of the militia
of the state
may be called
forth.

Orders to be
obeyed.

Proviso.

Be it further Enacted, That the commanding Officers of Brigades, may, as often as they see Cause, require the Attendance of any, or all the field Officers under their respective Commands, at such Time and Place as they shall appoint, to confer with them on the Subject of better ordering of military Affairs, and promoting military Skill and Discipline in said Brigades; and the commanding Officers of Regiments shall be vested with like Power, and for like Purpose.

Command-
ing Officers of
brigades may
require their
field officers
attendance,
to consult, &c.

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Commanding officers of regiments the like power in respect to the officers of their regiments, &c.

Officer giving up his commission without, &c.

Adjutant-General &c. to be appointed.

Pay-master, quarter-master, &c. how appointed.

Quarter-master-general. D. Quarter-master-general, &c.

to be sworn.

Quarter-master-general to provide magazines, &c.

and to receive monies by order out of the State treasury, &c.

to be accountable, &c.

ses to call together in like Manner, any or all the commissioned Officers of their respective Regiments; and the Field Officers of Regiments are hereby also empowered and directed to dignify the several Companies in their respective Regiments, and also to divide said Companies as they may, (with the Advice of the commissioned Officers of the Companies proposed to be divided from Time to Time) judge expedient, agreeably to the Provisions of this Act.

And be it further Enacted, That if any commissioned Officer shall give up his Commission, without Liberty from the Captain-General; and if any non-commissioned Officer shall give up his Warrant, without Liberty from the commanding Officer of the Regiment to which he belongs, every such commissioned and non-commissioned Officer shall be reduced to the Ranks.

And be it further Enacted, That there shall be from Time to Time appointed, as may be necessary, by Warrant from the Captain-General, one Adjutant-General over the whole Militia of this State, and one Brigade-Major in each Brigade, in like Manner, by the respective Brigadiers-General; and one Adjutant in each Regiment, in like Manner, by the commanding Officers of Regiments respectively, whose Duty it shall be carefully and diligently to collect and truly make up all Returns in their several Limits, at the Time and according to the Form or Forms that may be ordered, and generally to execute such legal Orders as may be enjoined on them by their superior Officers; and the commanding Officers of Regiments shall also, in like Manner, appoint one Pay-Master and one Quarter-Master, from the Line of their respective Regiments, and also one Surgeon and Mate; and from the lists of Serjeants, Drummers and Fifers shall appoint one Serjeant-Major, one Quarter-Master-Serjeant, one Drum-Major and one Fife-Major; and the commanding Officers of Companies shall have liberty to appoint from the list of Serjeants, one Orderly-Serjeant; which several Officers shall be liable to be displaced for Misdemeanor or neglect of Duty, by the Officers granting such Warrant, or their successors in Office.

And be it further Enacted, That there shall be appointed from Time to Time, as may be necessary, by the General Assembly, one Quarter-Master-General, with Power of substituting a Deputy-Quarter-Master-General in each Brigade; and the said Quarter-Master-General, his Deputies, and the Regimental Quarter-Masters shall, each and every of them, be sworn to the faithful discharge of the Duties of their office. And it shall be the Duty of the Quarter-Master-General to provide, keep and maintain a Magazine of Powder, Ball, and other warlike Stores and camp Equipage, to be ready for the use of this State as Occasion may require, according to the Directions of the General Assembly; for the procuring of which Supplies, and for the defraying the necessary Charges of his department, he shall from Time to Time, by order of the General Assembly or Governor and Council, receive out of the public Treasury of this State, such Sums of Money as they shall judge expedient, and shall give Bonds to the State Treasurer, with sufficient Surety, faithfully to apply the same, and render his Account, when required. And the said Deputy-Quarter-Master-General shall aid and assist the Quarter-Master-General in the procuring said Supplies; and are to attend such legal Orders respecting their Department, as they may from Time to Time receive from him or any General Officer, under whose Command they belong, rendering their regular Accounts of Monies received and expended, and making up and forwarding Returns, according to such Form or Forms as shall be ordered, to said Quarter-Master-General, who is hereby empowered to remove and displace any of his said Deputies, for Misdemeanor or neglect of Duty.

And it shall be the Duty of the Regimental Quarter-master to provide and keep a sufficient Quantity of Ammunition and warlike Stores for the Use of their respective Regiments, to be kept in such Place or Places as shall

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be ordered by the Field Officers, which shall not be less than one Pound of good Powder, three Pounds of Ball, and six Flints for each non-commissioned Officer and effective Soldier in their respective Regiments in Time of War, and in Time of Peace half the Quantity of each of said Articles; and also two Tents, two Camp Kettles to every Company of sixty-four Privates, and in the same Proportion for a greater or smaller Number. And each regimental Quarter-master shall make Return of the State and Quantity of the military Stores and camp Equipage in their respective Regiments, certified by the commanding Officer, by the first Day of May annually, and oftner, if thereto required, to the Deputy Quarter-Master-General, in the Brigade to which they respectively belong, who, on receiving the same, is to form and make up a brigade Return of the same Kind, and transmit the same to the Quarter-Master-General, by the tenth Day of May annually, and oftner if thereto required; and said Quarter-Master-General shall make a similar Return of the State of the military Stores through the State, by the fifteenth Day of May, and oftner if thereto required, to the Captain-General.

Duty of regimental quarter-master.

And be it further Enacted, That every Orderly Serjeant or Clerk of the respective Companies of Infantry or Cavalry, shall take the following Oath, viz. *You do swear truly to perform the Office of an Orderly Serjeant, or Clerk, to the utmost of your Skill and Ability, in all Things appertaining to said Office, according to Law.* So help you GOD. Whose Duty it shall be to call over the Roll of the Company on Days of viewing of Arms and training Days, and to note the Defects of Individuals, by their Absence or otherwise, to execute all legal Warrants to him directed by his superior Officer, for the levying any Fine or Fines on Delinquents, with the necessary Charges arising thereon, being, by Virtue of said Warrant, as fully empowered thereto as Constables in civil Cases, and to account for the same, as hereafter provided.

Orderly serjeant or clerk to be under oath.

Form.

Their duty.

And be it further Enacted, That every Orderly-Serjeant of the Infantry, and each Clerk of the Cavalry, shall take an exact List or Roll of all Officers belonging to, or living within the Limits of the Company or Troop to which such Serjeant or Clerk belongs, twice in every Year at least, viz. on the first Monday of April and September annually, and oftner if thereto required by the commanding Officer of the Company to which he belongs; therein setting down and distinguishing the rank of the several Officers, and the state and condition of the Privates in said Company or Troop, according to such Form and Orders as may be given under his Hand and test of Office, and the same transmit to the commanding Officer of the Company or Troop to which he belongs; whose Duty it shall be to inspect, and if necessary, to rectify; and having certified the same under his Hand and Office, shall cause the same to be transmitted to the Adjutant or Serjeant-Major of the Regiment to which he belongs, by the tenth Day of April and September annually; which Adjutant having received the Returns of each Company or Troop in the Regiment, shall make up a similar Return of the state of the whole Regiment of Infantry or Cavalry, as the Case may be, and attest the same; and it being examined, approved and certified by the commanding Officer of the Regiment, shall, in the Case of the Infantry, be transmitted to the Brigade-Major, and in Case of the Cavalry, to the Adjutant-General, by the twentieth Day of April and September annually; and the Brigade-Major, from the Returns of the several Regiments of Infantry, shall make up a similar return of the Strength of the whole Brigade; which being by him attested and examined, approved and certified by the Brigadier-General, shall be transmitted to the Adjutant-General by the tenth Day of May and October annually, and be by him formed, together with the Returns he may receive from the Regiments of Cavalry, into a general Return of the whole Military Force of this State; which being by him attested, shall be transmitted to the Captain-General, to be by him laid

To take list of officers, &c. and transmit the same, &c.

Returns how and when to be made, &c.

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before the General Assembly, at such Times as he or they shall think proper: And every Captain neglecting to make a Return as aforesaid, or shall make a false Return to the commanding Officer of the Regiment, shall forfeit and pay a fine of *Ten Pounds*; and if any commanding Officer of any Regiment shall neglect to make a regimental Return as aforesaid, or shall make a false Return, he shall forfeit and pay a fine of *Twenty Pounds*; and if any commanding Officer of a Brigade shall neglect or refuse to make a Return, as herein directed, he shall forfeit and pay a fine of *forty Pounds*; the distress thereof to be granted by the commanding Officer of the Regiment or Brigade to which such delinquent Officer belongs, or by the Captain-General, directed to the Adjutant; Brigade-Major, or Adjutant-General, as the nature of the Case shall require, and returnable in four Weeks, unless such delinquent Officer shall make a satisfactory Excuse to the Officers hereby directed to grant such Warrant, within twelve Days after such Neglect or Default shall happen.

Infantry, &c.
how furnish-
ed.

Penalty for
neglect.

And be it further Enacted, That all such as belong to the Infantry Companies, and Householdiers under fifty-five Years of Age, shall, at all Times be furnished at their own Expence, with a well fixed Musket, the Barrel not less than three Feet and an Half long, and a Bayonet fitted thereto, with a Sheath and Belt or Strap for the same, with a Ram-rod, Worm, Priming-wire and Brush, one Cartouch-box carrying sixteen rounds of Cartridges, made with good Musket Powder and Ball, fitting his Gun, six good Flints, and each Militia Man one Canteen holding not less than three Pints, upon Penalty of forfeiting and paying a Fine of *Three Shillings* for want of such Arms and Ammunition as is hereby required, and *One Shilling* for each Defect, and the like Sum or Sums for every four Weeks he shall remain unprovided.

Proviso.

Provided nevertheless, That if any Soldier shall, in the Judgment of the Selectmen of the Town to which he belongs, be unable to arm and accoutre himself, agreeable to the directions of this Act, it shall be the Duty of such Selectmen to certify the same to the commissioned Officers of the Company to which such Soldier belongs, in order that Execution may not issue against him for deficiency in such Arms and Accoutrements; and also at the Expence of such Town, to provide such Soldier with Arms, and the whole or any part of such Accoutrements, as may be necessary, within forty Days from the Time of granting such Certificate, under Penalty of the Value of such Arms and Accoutrements, to be recovered of any or all of said Selectmen, by Warrant from an Assistant or Justice of the Peace, upon proper Information and Proof of such Neglect, by said commissioned Officers, which Warrant shall be directed to any Sheriff or Constable proper to serve the same, returnable in sixty Days, and the Fine payable into the Treasury of such Town.

And all Arms and Accoutrements thus provided, shall be the Property of such Town, and shall, by the commanding Officer of the Company, be deposited in such Place or Places as he shall think proper, to be ready for such Soldiers, as occasion shall require; and such Officers shall stand accountable for such Arms and Accoutrements, and shall be liable to pay for the same, if lost through his Neglect or Default.

Dragoons
how accout-
tered.

And be it further Enacted, That every Light-Dragoon shall always be provided with a good serviceable Horse, not less than fourteen Hands high, to the acceptance of the two chief commissioned Officers of the Company to which he belongs, covered with a good Saddle, with Housing and other proper Furniture, bitt Bridle and Holsters, a Case of good Pistols, a Sword or Cutlafs, not less than four Feet in Length, and also a Cap made of Jirk-Leather, or other Cover for the Head sufficient to withstand the Force of a Broad-sword, a Flask or Cartouch-box, one Pound of good Powder, three Pounds of sizable Bullets, twelve Flints, a good pair of Boots and Spurs, on Penalty of *Three Pounds* for want of such Horse, and the Value of each other Article in which he shall be deficient.

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And be it further Enacted, That the commanding Officers of Companies shall appoint the Days of Exercise, and the Company shall have three Days Warning, which Warning shall be given by the Orderly-Serjeant or Clerk, or any Serjeant or Corporal of the Company, or in any other Way agreed on by said Companies; and every Soldier so warned as aforesaid, shall give his Attendance at Time and Place appointed, complete in his Arms, and dressed in a soldier-like Manner: That every commanding Officer of Companies shall draw forth his Company four Days in a Year, in order to instruct them in the use of Arms and discipline of War; and the Days appointed shall be in the Months of *March, April, May, September, October and November*, annually: That on the first Monday of *May and October*, annually, such commanding Officer shall cause the Arms, Ammunition and Accoutrements of all under his Command to be reviewed; Householders and others by Law obliged to keep Arms, to be considered for this Purpose, to be under the command of the Officers of the Infantry Companies, within the Limits of which they dwell; and if any of the Persons aforesaid shall not appear on either of said Days, being duly warned, he shall pay a Fine of *Six Shillings*, for Non-appearance, and for each deficiency of Arms, Ammunition and Accoutrements, on the Days appointed for the viewing of Arms, the same Penalty as heretofore provided for neglect of furnishing such Articles, unless such Person shall appear before the reviewing Officer, within twelve Days after such day of Review or Exercise, and make a satisfactory Excuse for his non-appearance on said Day, and also shew his Arms and Ammunition to such reviewing Officer, and avouch them to be his own, and that they have not, by any Person whatever, been carried for to be reviewed upon or after said Day.

Days of exercise to be appointed.

Arms, &c. to be reviewed.

Penalty for non appearance or deficiency.

And if any Serjeant of the Foot, or Corporal of the Troop, shall be delinquent in Arms, Ammunition and Accoutrements, or shall neglect to appear and attend the Duty of his Place, he shall for each day's Neglect, pay a Fine of *Nine Shillings*, and for deficiency of Arms and Ammunition, the same as in Case of a Private: That each Drummer, Trumpeter and Fifer shall, upon his accepting the Office to which he is chosen, provide himself with a good Drum, Trumpet or Fife, as the Nature of his Office shall require, and constantly attend Service when required, under Penalty of *Eight Shillings* Fine, for each day's Neglect, and also the value of the Article in which he may be deficient as aforesaid; the distress therefor, as also for the Fines and Penalties incurred by Serjeants, Corporals and Privates, for Non-attendance, Deficiency or otherwise, to be granted by the commanding Officer of the Company. And if such commanding Officer shall neglect to call forth his Company as by this Act is directed, or shall neglect to issue his Warrant of Distress for each Non-appearance and Deficiency, against delinquent non-commissioned Officers and Privates, he shall forfeit and pay as a Fine, for every day's Neglect in viewing Arms *Ten Pounds*, and for every day's Exercise, short of four Days in the Year, *Five Pounds*, and for neglecting to issue his Warrant of Distress as aforesaid, the Value due from each Delinquent in his Company. Which Fines and Forfeitures shall be recovered of such delinquent Officer by Warrant of Distress, to be issued by the commanding Officer of the Regiment to which such delinquent Officer belongs, in ten Days after such Neglect shall be known, and directed to the Adjutant, of the Regiment, and returnable in four Weeks; and such Adjutant, in case of refusal to execute such Warrant, shall be cashiered or reduced to the Ranks.

Penalty on serjeants of foot or corporals of troop.

Drummers, &c. to provide drums, &c.

Penalty for not attending

Penalty on officers for neglect, &c.

And if any Lieutenant, Cornet, Ensign, or Quarter-Master of any Company, shall neglect or refuse to appear on any muster Day, Day of Exercise, or viewing of Arms, by the Captain of such Company appointed, and attend the Duty of his Post, he shall pay for each Day's Neglect, the Sum of *forty Shillings*; the Distress therefor to be issued, directed and returned, as against commanding attendance.

Penalty on lieuts. cornets, &c. for neglect in attendance.

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	Officers of Companies aforesaid, unless a satisfactory Excuse shall be made to the commanding Officer of the Regiment, within twelve Days after such Day of Exercise or Review.
Regimental exercise,	And the commanding Officer of each Regiment shall call forth and muster together the several Companies of his Regiment, once in two Years, for regimental Exercise and Review, unless his Regiment may be so large that he may judge it best to call but one half of the Companies at one Time and the remaining Part at another Time within the Year ; which Muster the several commanding Officers shall attend with their Companies, under Penalty of <i>ten Pounds</i> , to be distrained by Warrant from the commanding Officer, in Manner aforesaid.
Penalty.	And every Person enrolled in any Company as aforesaid, shall attend all Duty in said Company, until orderly dismissed or removed out of the Limits of said Company, or otherwise suffer the Penalties herein provided.
Persons enrolled, to do duty.	And the two chief Officers of any Company shall order the correcting and punishing of Disorders and Contempt, on Days of Exercise, the Punishment not being greater than riding the Wooden-horse for a Time, not exceeding one Hour, or a Fine of <i>forty Shillings</i> , to be recovered in the same Way and Manner as for Non-appearance and Deficiency ; and the commanding Officer of a Regiment shall be vested with like Powers, on the Days appointed for a regimental Exercise and Review.
Disorders how punished.	That Serjeants of Foot and Corporals of Horse, who have heretofore or shall hereafter be regularly dismissed or discharged from any Company of Foot, or Troop of Horse, by removing or otherwise, shall be liable to do military Duty in the Company in the Limits of which they dwell, in the same Manner as Householders by Law are obliged to do.
Duty of serjeant of foot, or corporals of horse who have been discharged.	And <i>it is further Enacted</i> , That if any Person in this State shall, at any Time after the rising of this Assembly, enlist into any Company of Cavalry, which exceeds thirty Men, Officers included, at the Time of such Enlistment, or having already enlisted into any Company of Cavalry, shall not, within three Months from the Time aforesaid, furnish and equip himself agreeable to the provisions of this Act, or that shall hereafter enlist into such Company, and shall not within three Months after such his Enlistment, in like Manner furnish himself, such Person so enlisted, in either of the Cases aforesaid, shall, by the commanding Officer of such Company, be discharged and dismissed from the same ; and the said commanding Officer shall thereupon forthwith certify the Name of the Person so discharged, with the Circumstances of the Case, to the commanding Officer of the Company of Infantry, within the Limits of which the Person so discharged belongs, whose Duty it shall be to enrol and require such Person to attend and do Duty in his Company. And if any commanding Officer of any Company of Infantry or Cavalry shall neglect his Duty, as herein required, he shall pay a Fine of <i>Five Pounds</i> Money for each Offence, to be recovered by Warrant from the commanding Officer of the Regiment to which he belongs.
Persons enlisted in the cavalry.	And that the several Companies of Troop, and the respective Artillery or Matross Companies established in this State, are hereby impowered, (two-thirds of said Company agreeing) to pass Votes relative to their Cloathing, directing the Colour thereof, regulating and enforcing the same, and to impose Fines not exceeding <i>Six Shillings</i> per Day, on such as neglect or refuse to comply with such Votes : Which Fines shall be levied, collected and applied as other Fines and Penalties in said Companies by Law are.
Troop may pass votes regulating their cloathing, &c.	<i>Be it further Enacted</i> , That all Warrants granted out against any Person or Persons, for any Fine or Fines incurred by virtue of this Act, or any Breach thereof, shall be levied on the Goods or Chattels of the respective Delinquents, if upwards of twenty-one Years of Age ; and for want of such Goods or Chattels, against the Body of such Delinquents, and against the Goods and Chattels of the Parents, Guardians and Masters of such Delinquents as have not ar-
Warrants how served.	

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rived to the Age of twenty-one Years ; and for want of such Goods and Chattels, against the Body of such Parents, Masters or Guardians, and them commit to and hold in Goal, until such Fine or Fines shall be paid and satisfied, as in cases of Execution for Debt ; which Fines shall be for the use of the Companies to which such Delinquents respectively belong, (except such Fines as are otherwise disposed of in this Act) that is to say, for procuring and maintaining Trumpets, Colours, Banners and Halberds, and for paying Drummers, Trumpeters and Fifers, or other Charges of said Company by direction of the commissioned Officers of such Company ; and the Persons respectively serving such Warrants, agreeable to the Provisions of this Act, shall make Return to the Person granting the same, therein directed, and stand accountable to him for the Monies they shall so collect.

Warrants how served.

Fines how disposed of.

Be it further Enacted by the Authority aforesaid, That the commanding Officers of the several Companies of Horse or Foot be, and they are impowered and directed from Time to Time, to appoint an Alarm-Post, at such Place or Places as they shall think proper ; to which, upon Notice of an Alarm, it shall be the Duty of Officers and Soldiers under their respective Commands to repair without Delay, completely equipped and accoutred, as in this Act is directed, there to attend such further Orders as they may receive from their commanding Officers aforesaid.

Alarm posts.

And to the Intent that speedy Notice may be given, upon such interesting and important Occasions :

Be it further Enacted, That the commanding Officers of the several Companies, shall divide their said Companies into as many Classes, in case of Horse, as there are Corporals, and in case of Foot, as there are Serjeants in such Companies, in such Manner as to them shall seem meet ; which Serjeants and Corporals, upon orders received from their commanding Officers, upon occasion of Alarms as aforesaid, shall forthwith warn and notify each Officer and Soldier in the Class to them respectively assigned, to repair, equipt as aforesaid, to the Post appointed, upon Penalty of *Ten Pounds* Money ; and if any commissioned Officer, being so notified, shall neglect or refuse to appear and attend the Duty of his Place, he shall, unless prevented by Sickness or other Disability, be cashiered and reduced to the Ranks ; and it shall be the Duty of the Commanding Officers of Companies where such Neglect shall happen, as soon as may be, to make Information thereof to the General Assembly accordingly. And if any non-commissioned Officer or Private shall, upon such Notice, refuse to appear in Manner aforesaid, unless prevented as aforesaid, such non-commissioned Officer shall forfeit and pay a Fine of *Twelve Pounds*, and such Private a Fine of *Ten Pounds* ; which several Penalties shall be for the use of the Town where such Delinquents belong, to be recovered in Manner hereafter provided ; and such Companies so collected shall proceed regularly, under the Command of their proper Officers, to such Place and Places as Exigencies may require, pursuant to such Orders as they may receive from their commanding Officer.

Divide companies into classes.

Penalty for not appearing at the alarm post.

Be it further enacted by the Authority aforesaid, That whensoever, pursuant to Orders from the General Assembly, or the Captain-General and Commander in Chief, any able-bodied and effective Man, shall in any Manner be duly detached, impressed or drafted into the Service of this State, or the United States, for the purposes of Defence against the common Enemy, if any such Person so detached, shall neglect or refuse seasonably to muster, join to, or proceed with the Troop he is appointed to serve with (being duly noticed thereof) and under the Command of such Officers as may be ordered, he shall forfeit and pay to the Treasury of the Town to which he belongs, a Fine or Penalty of *Five Pounds* ; unless such Person so detached shall, antecedent to such marching Orders, have procured an able-bodied and effective Man to perform his tour of Service to the acceptance of the detaching Officer, or have shewn Rea-

Penalty on such as are drafted and neglect to muster.

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son why he ought to be excused, to the commanding Officer of the Regiment to which he belongs, which by him shall be judged sufficient, and shall thereupon be excused accordingly ; in which Case the detaching Officer shall forthwith detach another Person to serve in his room and stead.

And whereas it is just, that the Services necessary for the common Defence, should be born and performed by those Persons liable to the same, in an equal Proportion :

Be it further enacted by the Authority aforesaid, That whenever any Part of the military Force of this State are called for, for the Purpose and Service aforesaid, from every Part of this State, the Adjutant-General shall make out the Details or Proportion of the Officers and Men so called for, from the Brigade-Returns, then last received from the several Brigades ; and Orders shall issue from the Captain-General to the Brigadiers-General accordingly, designating such one or more of them as he may think proper ; and the Brigadiers-General shall thereupon issue their Orders to the commanding Officers of Regiments in their respective Brigades upon the Details ; and the commanding Officers of Regiments shall thereupon issue their Orders to the commanding Officers of Companies upon the Details that shall in like Manner be made by their respective Adjutants, designating such commissioned Officers as may be necessary to organize the several Companies ; and the commanding Officers of Companies shall thereupon detach the Number to him assigned, designating such non-commissioned as may be required ; and the said Adjutant-General, Brigade-Major, Adjutants and Orderly-Serjeants shall from Time to Time keep Roosters respectively, containing an exact Account of the number of Officers and Men, the Names of those designated, as ascertained to the Brigades, Regiments and Companies, the length of the Tour, and whatever else may be necessary to answer the End designed ; and the Orderly-Serjeants shall further keep an exact Account of the Names of Individuals from Time to Time detached.

And the tours of Duty shall be performed in regular Rotation, due regard being had to such tours of Duty as exceed the term of two Months, so as to equalize, as near as may be, the proportion of Duty to be performed by each Individual.

And be it further enacted by the Authority aforesaid, That whenever, upon any Alarm or Detachment, any non-commissioned Officer or Private, being noticed of such Alarm, or duly detached, as in this Law is directed, as the Case may be, shall refuse to appear, or to muster and march, according to orders received ; or if any Person required by this Act to give notice of an Alarm shall, in contempt of orders received for that purpose, neglect or refuse to do the same, it shall be the duty of the commanding Officer of the Company to which the Person so neglecting or refusing belongs, forthwith to make out an Information, directed to an Assistant and Justice of the Peace, or two Justices of the Peace of the town where such delinquent belongs, and lodge the same with either of them ; which Authority are hereby authorized and directed thereupon to make out a Citation, directed to any Sheriff or Constable proper to serve the same, summoning such Delinquent, and if a Minor, his Parent, Guardian or Master, forthwith to appear, if they see Cause, before said Authority, to shew Reason, if any they have, why Judgment should not be entered against him or them, for the recovery of such Fine, with Costs ; and the Officer shall proceed according to the Directions in said Citation, to serve the same by reading or causing it to be read, in the hearing of such Delinquent, his Parent, Guardian or Master, as the Case may require, or by leaving a true and attested Copy of such Complaint and Citation, at his or their usual Place of Abode ; and if thereupon he or they shall not appear according to such Citation, said Authority shall proceed to take the Evidence in the Case, and if upon such Evidence it shall appear to said Authority, that the Charge contained in the Information is fully sup-

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ported, and that the Delinquent, at the Time of receiving Orders, either to warn and notify the Persons to him assigned, to repair to the Post appointed on an Alarm, to repair thither himself, or being detached, to muster and march, as the Case may be, pursuant to this Act, was under no natural Disability, arising from bodily Indisposition or otherwise, said Authority shall enter up Judgment against such Delinquent, for the recovery of the Fine to which he is liable, with Costs, out of the Estate of such Delinquent, or if a Minor, out of the Estate of his Parent, Guardian or Master, and grant Execution accordingly.

And be it further Enacted, That if any general, field, or commissioned Officer, being appointed and designated as in this Act is directed, to take the Command of such Corps as to them shall be assigned, in their respective Offices, shall without just Cause, refuse to comply with Orders given him for that Purpose, such Officer shall be cashiered; and it shall be the Duty of the Officer that shall so designate and appoint him, to make Information to the General Assembly accordingly.

Officers refusing to take command, &c

And whereas some Persons, upon receiving Intelligence of a Detachment upon the Militia, soon to take Place, may abscond or secrete themselves, with design to escape such Detachment; by Means whereof the Public may be greatly injured:

Which to prevent;

Be it further enacted by the Authority aforesaid, That if any Person, liable by Law to Detachment into military Service, shall abscond or secrete himself, with design to avoid such Detachment, and at a Time when he ought to be called upon for a tour of Duty in the Judgment of the commission Officers of the Company to which he belongs, pursuant to the Provisions of this Act, it shall be the Duty of the commanding Officer of said Company to lodge an Information, as before directed; and thereupon the said Authority shall issue their Warrant to apprehend such Person so informed against, as soon as may be, at the same Time, if such Person be a Minor, notifying his Parent, Guardian or Master, to be present and attend the Trial (if he see Cause) and if upon the Trial, the Delinquent shall not be able to prove to the Satisfaction of the Court, that he did not abscond, secrete or absent himself with Design to escape such Detachment, the Court shall proceed to enter up Judgment against him for the Recovery of the same Sum from him, or his Parent, Guardian or Master, if a minor, and grant Execution thereon, in the same Manner as if such Person had been detached according to the most usual, legal and regular Practice.

Persons absconding from drafts.

how proceeded with.

Be it further Enacted, That all Fines and Penalties from Time to Time collected by Warrants issued by commanding Officers of Regiments, against any commissioned Officers of Companies in their respective Regiments, as in this Act is directed, shall be paid into the Treasury of the Town where the Persons of whom collected belong, for the Use of such Town; and all Fines and Penalties in like Manner collected by Warrants issued by any General Officer, agreeable to the Provisions of this Act, shall be to the Use of the public Treasury of this State.

Fines how disposed of.

Be it further Enacted, That the commanding Officers of the several Infantry Companies in this State, established by this Act, shall forthwith enrol in their respective Companies, all such Persons, whether of the former alarm List Companies, or others who are by Virtue of this Act, liable to military Duty.

Persons liable to do duty, to be forthwith enrolled.

Be it further Enacted, That all Persons holding and sustaining any military Offices and Commissions, by Virtue of any Act heretofore made, within the respective Brigades, Regiments, Troops or Companies, heretofore, and by this Act formed and established, except Colonel and Lieutenant-Colonel of the Cavalry, shall continue to hold and exercise the same, with all the Powers and Authorities vested in such Officers respectively, by Virtue of this Act.

Persons holding any military office and commission to continue, &c. except, &c.

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- And be it further Enacted and Provided*, That the Colonels of any of the respective Regiments of Infantry heretofore, and by this Act established, now holding and in the Exercise of their Office and Commission, shall continue to hold and exercise the same, and be considered as the commanding Officers, of their respective Regiments, any Thing in this Act to the contrary notwithstanding.
- Provided also*, That nothing in this Act shall be construed to effect or alter the State of the Companies, called the Governor's Guards, or any militia Companies, formed agreeable to the Provisions of Law.
- Be it further Enacted*, That if any non-commissioned Officer, shall refuse or neglect to do his Duty, or shall endeavour to excite a Mutiny, or shall use reproachful Language to any superior Officer when in the Execution of his Office, it shall be in the Power of the field Officers of the Regiment to which such non-commissioned Officer belongs, on Complaint being made and Fact being proved, to reduce said non-commissioned Officer to the Ranks, and do Duty as a private Sentinel in the Company to which he belongs.
- Be it further Enacted*, That all Persons who have procured a Recruit to enlist into the Army of the United States, for three Years or during the War, agreeable to the Resolution of this Assembly heretofore made, shall be exempted from any Drafts or Detachments into actual Service, agreeable to the Tenor of such Resolutions, but liable to do Duty on Days of Reviewing and Mustering; any Law, Usage or Custom to the contrary notwithstanding.
- And be it further enacted by the Authority aforesaid*. That when and so often as the Civil Authority and Select-men in any Town in this State, or the major Part of them, shall judge it necessary or highly convenient for the safety of such Town, to have Watches and Wards therein, they are hereby authorized and empowered by Warrant, to command the Constable or some other meet Person by them appointed, to warn such a Number of Men to appear at such Time and Place in said Town, as they shall think necessary. And all and every such Person or Persons that shall be notified to watch or ward as aforesaid, shall appear at the Time and Place appointed, with a good Firelock and Cartouch-box well slung, with at least six Rounds fit for his Gun, and shall observe such Directions as shall be given by order of said Authority and Select-men; who are hereby empowered to give such Orders and the Directions relating such Watching and Warding, and the Continuance thereof, as they shall judge needful.
- And if any Person or Persons, being warned as aforesaid, or in any other Manner which the Authority and Select-men shall agree and conclude upon, shall neglect and refuse to attend at Time and Place appointed, armed and furnished as aforesaid, or to observe the Orders to them given by the Constable, or any other Person appointed as aforesaid, shall for every such Neglect or Offence pay a Fine of Six Shillings lawful Money; which by Warrant from any one Assistant or Justice of the Peace, shall be levied by the Constable, from such Delinquents, his Person, his Parent, Master or Guardian, and disposed of for the Use of such Persons as attend upon and perform said Service, under the Direction of said Authority and Select-men.*
- Whereas it is necessary that uniformity of Discipline should be practised by all troops that may be called to act in Conjunction:*
- Be it further enacted*, That the Regulations for the Order and Discipline of the Troops of the United States, as ordered by Congress, in their Resolution of the 29th of March, 1779, be, and they are hereby approved and adopted as the Regulations for the Order and Discipline of the Militia of this State, so far forth as their Situation and Circumstances will admit; and in particular that the Manual Exercise, Manœuvres and Mode of Formation

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therein described, be practised; and when the Militia are called out into actual Service, that they conform themselves in all Respects to the Regulations aforesaid. And all General and other Officers are hereby enjoined to cause the same to be executed with all possible Exactness, and conform themselves thereto accordingly.

An Act concerning Mills and Millers.

BE it enacted by the Governor, Council and Representatives, in General Court assembled, and by the Authority of the same, That each Miller in this State, ^{Millers allowance for grinding.} shall be allowed three Quarts out of each Bushel of Indian Corn he grinds, and of other Grain two Quarts out of each Bushel he grinds; except Malt, out of each Bushel of which he grinds, he shall be allowed one Quart, and no more. And he shall be allowed at the Rate of one Pint for Bolting, out of each Bushel of Meal he bolts, and no more.

And if any Miller shall presume to take or receive a greater Toll or Fee for grinding or bolting, than is herein allowed him, as aforesaid, he shall forfeit ^{Penalty for taking more.} and pay the Sum of *ten Shillings*, for each Time he shall be convicted of any Breach of this Act: One Half whereof shall be to the Complainer who shall prosecute the same to effect, and the other Half to the Treasury of the Town where the Offence shall be committed.

And that there shall be provided for every Grist-Mill within this State, by the Owners of such Mills, ^{Mills to be provided with toll measures.} sealed Measures, viz. One of a Pint, one of a Quart, and one of two Quarts, for their toll Measures, with an Instrument to strike the said Measures, which shall be stricken when Toll is taken of all Grain that is brought to Mill stricken Measure to be ground there.

An Act for the Settlement, Support, and Encouragement of Minifters; and for the well-ordering Estates given for the Support of the Ministry.

BE it enacted by the Governor, Council and Representatives, in General Court assembled, and by the Authority of the same, That the Inhabitants of any Town or Society, constituted by this Assembly, who are or shall be present at a Town or Society Meeting, legally warned, shall have Power by the major Vote of those so met, to call, and settle a Minister or Ministers among them, and to provide for his or their Support and Maintenance. ^{Power to call and settle a minister.}

Provided, That no Person be allowed to Vote in any such Affairs, unless such Person or Persons have a Freehold in the same Town or Society, rated at *Fifty Shillings*, or *Forty Pounds* in the common List, or are Persons of full Age, and in full Communion with the Church in the said Town or Society. ^{Proviso.}

That the Minister or Ministers which have been, or shall be so called and settled, shall be the Minister or Ministers of such Town or Society. ^{Such called and settled to be the minister.}

And all Agreements which have been, or shall be made by the major Part of the Inhabitants of such Town or Society, qualified and met as aforesaid, with such Minister or Ministers, respecting his or their Settlement and Maintenance, shall be Binding and Obligatory on all the Inhabitants of such Town or Society so agreeing and on their Successors, according to the true Intents and Purposes thereof. ^{Agreements made by the major part binding on the whole.}

That the several Towns wherein there is but one ecclesiastical Society, and the several Societies aforesaid within this State, shall pay unto their respective Ministers for the Time being, who dispense the Gospel therein,